IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 12TH JULY 2007 / 21ST ASHADHA 1929

WP(C).No. 8446 of 2004(E)

PETITIONERS:
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1. **C.J.THOMAS,**
   PRESIDENT, HEADLOAD & GENERAL WORKERS UNION (CITU)
   KASARGOD AREA COMMITTEE, REGD. NO.14/01/89,
   KASARGOD DISTRICT.

2. **P.M.MUHAMMED KUNJI,**
   HEADLOAD WORKER, HEADLOAD & GENERAL WORKERS UNION (CITU), KASARGOD AREA COMMITTEE, KASARGOD.

BY ADV. SRI.MATHEW ZACHARIAH,
SRI.KOSHY GEORGE.

RESPONDENTS:
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1. **STATE OF KERALA,**
   REPRESENTED BY SECRETARY, DEPARTMENT OF FOREST,
   GOVERNMENT SECRETARIAT, TRIVANDRUM.

2. **THE DIVISIONAL FOREST OFFICER,**
   TIMBER SALES DIVISION, KOZHIKODE.

BY GOVT. PLEADER SRI. MANOJ.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.8446/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE LETTER DTD. 25/09/1997.

EXT.P.2: COPY OF THE AGREEMENT DTD. 20/02/2002 BETWEEN THE GOVT. OFFICIALS AND THE WORKERS.

EXT.P.3: COPY OF THE REPRESENTATION FILED BY THE UNION ON 06/04/2002.

EXT.P.4: COPY OF THE QUESTION AND ANSWER GIVEN IN THE 4TH SESSION OF THE KERALA LEGISLATIVE ASSEMBLY.

EXT.P.5: COPY OF THE ORDER DTD. 20/12/2002.

EXT.P.6: COPY OF THE ORDER NO. G.O. MS. NO. 18/2003/F&WLD DTD. 01/04/2003.

EXT.P.7: COPY OF THE SETTLEMENT DTD. 10/02/1999.

EXT.P.8: COPY OF THE SETTLEMENT NO. G. 99/2002 DTD. 05/02/2002.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

prv.

KURIAN JOSEPH, J.

W.P. (C). NO. 8446 OF 2004

Dated this the 12th day of July, 2007.

J U D G M E N T

This writ petition is filed with the following prayers:

> i) to call for the records and to issue a writ in the nature of mandamus directing the respondents to continue to engage the petitioners for loading work either at Parappa or at Manjakkal.
>
> ii) to pay to the petitioners and other workers their wages lost during the period when they were not given any work.

2. It is for the petitioners to approach the second respondent, in which case, the matter will be duly considered by the second respondent and appropriate action, in accordance with law, in the light of the settlement will be taken within another four months.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp